
OLR Bill Analysis

sSB 45

AN ACT CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES AND THE EDUCATION OF CHILDREN.

SUMMARY:

This bill increases the number of children under Department of Children and Families (DCF) supervision for whom the education commissioner may appoint a surrogate parent, and requires the superintendent of each school district providing education to a neglected or abused child committed to DCF custody to provide certain education-related information to (1) DCF, (2) the student's foster parent, and (3) the student's attorney.

It requires DCF and the Judicial Branch's Court Support Services Division (CSSD) to promptly review the educational files of any child or youth when he or she enters a facility or school program they run or contract with to determine if the child or youth may be eligible for special education and related services under state law.

It also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2014

APPOINTMENT OF A SURROGATE PARENT

By law, the education commissioner may appoint a surrogate parent, in place of a child's parent or guardian, to advocate for a child in the educational decision-making process (see BACKGROUND). The law currently allows him to do so for a child who is (1) under DCF supervision and (2) receiving educational services from Unified School District #2 (see BACKGROUND).

The bill also allows appointment of a surrogate parent for DCF-supervised children receiving educational services at any other facility

operated, or contracted for, by (1) DCF or (2) CSSD.

As under current law, the child's parent or guardian:

1. must be notified, by certified mail, that the child is or may be eligible to receive special education and related services;
2. must agree, or fail to object, to the surrogate parent's appointment;
3. must receive the same notices as the surrogate parent; and
4. may revoke the surrogate parent's appointment at any time.

PROVIDING INFORMATION ON A CHILD'S EDUCATIONAL STATUS AND ACADEMIC PROGRESS

The bill requires the superintendent of each school district providing education to a neglected or abused child committed to DCF custody to describe, to (1) DCF, (2) the student's foster parent, and (3) the student's attorney, the student's educational status and academic progress in a way that is substantially similar to the way the superintendent would describe this to parents or legal guardians of children who are not in DCF custody. This description must include:

1. information on the student's current level of educational performance, including absenteeism and grade-level performance;
2. test results;
3. report cards;
4. individual success plans; and
5. discipline reports.

BACKGROUND

Educational Decision Making Process

This process includes the (1) identification, evaluation, placement, hearing, mediation, and appeal procedures in state education law and

(2) evaluation and planning procedures in federal law that may be available to a child after receiving special education and related services according to state law (CGS § 10-94f(2)).

Unified School District #2 (USD #2)

The legislature created USD #2 to serve children in DCF-run residential and day treatment facilities who cannot attend public school. According to DCF, USD #2 currently provides services to the (1) North and South campuses of the Albert J. Solnit Psychiatric Center (formerly Connecticut Children's Place and Riverview Hospital, respectively), and (2) Connecticut Juvenile Training School (soon to also have under its administration a 12-bed treatment center for girls on the Solnit Center's South Campus).

According to DCF, it operates or contracts with more than 100 other facilities to serve children in its custody, including group homes, safe homes, and temporary shelters.

CSSD Facilities

CCSD states that it runs or contracts with 11 juvenile facilities, including detention centers and residential facilities.

Committee on Children

Joint Favorable Substitute

Yea 12 Nay 0 (03/11/2014)